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DR. PARKHURST IS ON TRIAL.

IN REGARD TO THE SALE OF A PIECE OF CHURCH PROPERTY.

It was called a cold blooded violation of a solemn contract—the resolutions were adopted by Dr. John H. A. Dr. Mullen created another stir—other members of the body opposed the resolution which was finally laid on the table.

New York, March 11.—Resolutions reflecting upon the conduct of Dr. Charles H. Parkhurst in the matter of his criticism of the New York Presbytery's action with regard to the sale of the church of Sea and Land were offered at the monthly meeting of the Presbytery to-day. Dr. Parkhurst was absent, but his friends were there in force. Dr. Chambers, having the resolutions in charge, read a long statement, based upon the records of the Presbytery and giving in detail the facts in regard to the proposed sale of the property and the terms of the occupancy, pending the sale by the Madison Square church, of which Dr. Parkhurst is pastor. He prefaced this statement with a whereas setting forth the fact of an interview with Dr. Parkhurst, in which the proposed sale was characterized by the eminent reformer as a "cold-blooded violation of a solemn contract which is as true as the everlasting gospel. It was an act which had been committed in Wall street would have furnished the clerical members of the Presbytery with what they would have considered material for homiletical exploitation."

Following this preamble extracts from the Presbytery's records showing that the decision to sell the Sea and Land church antedated the arrangement with Dr. Parkhurst's church by nearly a year and a half; that the occupancy of the church by Dr. Parkhurst's session was for one year only, that the session of the Madison Square church had stipulated in writing that "we would not wish to be obligated ourselves to ask the Presbytery to obligate itself beyond the one year; that subsequent action in regard to the sale of the church was made subject to the agreement with the Madison Square church, and that part of the proceeds of the sale was to be used in planting a mission in the neighborhood of the church for which work carried on in the Sea and Land building by Dr. Parkhurst."

Dr. John Hall opposed the resolutions in the interests of peace and harmony. He objected to the reference in the preamble to Dr. Parkhurst and the Madison Square church. He asked to have the names stricken out.

"Authorize the officers of the Presbytery," he said, "to print and circulate the statement as far as you wish, but omit all reference to a brother we love. Let the statement rest on the facts and let the newspaper interviews attributed to the brother alone. The public will be able to compare the statement of facts authorized by us with the newspaper references and adjudicate upon them as they see fit."

Dr. Mullen, whose objections to the recent vote of approval of Dr. Parkhurst's reform methods created such a stir in the Presbytery several weeks ago, was on his feet in an instant.

"To my mind," he cried, "the preamble is the most important. It is a question of a member of the Presbytery arraigning his Presbytery before the public instead of before the session, and charging it with crime, with misappropriating funds, with a violation of contract, with not being worthy of confidence. An honorable pastor objects. Are we to be the prey of a man who makes his living by sensational writing? An individual has arraigned the Presbytery, and an individual shall be named. If I had my way I would bring him before the bar of this court and make him answer."

Dr. Francis Brown, Dr. Duffield, Dr. Buchanan and other pastors opposed the resolution which had been altered by Dr. Chambers to meet Dr. Hall's suggestion. Dr. Buchanan thought it was unnecessary. But he declined for the Presbytery to exonerate itself from alleged criticisms spoken to an unknown reporter on the mere rumor of publishing a statement.

Dr. Atterbury agreed with Dr. Buchanan, and his motion to lay the resolutions on the table was carried by a vote of 57 to 36. Many of the conservative members of the Presbytery voted with the liberals on this motion.

Prior to adjournment a resolution was passed calling for the appointment of a committee to investigate the Church of the Sea and Land and report as to its relationship with the Presbytery. Dr. Parkhurst, when seen to-night said:

TREASURY'S CONDITION.

An Element of Uncertainty Has Now to be Considered.

Washington, March 11.—The treasury condition for the first third of March shows the receipts to have aggregated \$9,325,000 and the expenditures \$11,354,000, or an excess of expenditures over receipts of \$2,029,000.

An element of uncertainty, not heretofore entering into treasury calculations, has now to be considered. It is the large sums appropriated by congress in the deficiency appropriation bills and sundry civil appropriation bills. Many of these items are made immediately available and the payment of the "civil and miscellaneous" accounts shows that some of them have begun to reach the cashier's desk.

The customs receipts show a continued and sustained improvement, being for the fiscal year up to date \$105,087,444, or nearly a million dollars more than for the same time last year. Internal revenue receipts are \$5,000,000 in excess of this time last year, but improvement in both sources of receipts must be shown for the last third of the fiscal year, or government revenues for the entire fiscal year will fall considerably below the estimates.

The treasury gold reserve at the close of business to-day stood at \$90,000,000, a gain since yesterday of \$280,000.

Died in Agony.

Worcester, Mass., March 11.—Earl Revere, five-year-old son of F. A. Revere of this city, found a bottle in the yard of a neighbor with some unknown liquid in it on March 1. He drank it and after lingering in torture died yesterday. A chemical analysis will be made to find what poison it was.

Gymnasium for Girls.

Holyoke, Mass., March 11.—William Skinner of this city has completed arrangements for the gymnasium he is to have built for D. L. Moody's seminary for girls at Northfield. The building will cost \$35,000 and work on it will be begun as soon as the plans are fully worked out.

License Vote in Massachusetts.

Springfield, Mass., March 11.—Several town meetings were held in western Massachusetts to-day. In Westfield the republicans elected two selectmen and a majority of the other officers. The town went for license by the same majority as last year. Easthampton went for no license. The license votes were as follows: Westfield yes, Easthampton no, East Longmeadow no, Pelham yes, Greenwich no.

A Conflagration is Feared.

Lynn, Mass., March 11.—Kelley & Greene's morocco factory on Summer street, a four-story wooden building, nearly 400 feet long, was burned to-night by a fire that caught in some unknown manner. A conflagration was feared and at one time many buildings in the vicinity were in danger. The principal loss was to Kelley & Greene's building, although the adjoining morocco factory of A. E. & H. E. Dodge was damaged to the extent of about \$5,000.

Temple of Honor.

Middletown, March 11.—Six of the supreme officers of the Templars of Honor of the United States were in Middletown to-night, where they began a three days' convention. They came from various parts of the country, and members of Corinthian Temple of Honor had arranged to give them a warm reception at the rooms of the Corinthian Temple of Honor. Members of Freestone temple of Portland, Crown temple of Cromwell and Clover Social temple of Middletown had been invited to take part in the reception. There were speeches by the grand officers and others, and a pleasant entertainment was provided after which a collation was served. The supreme officers then met to consider matters in relation to the ritual of the order.

The Republican Banquet.

Bridgeport, March 11.—The annual banquet of the Bridgeport republicans will probably be held March 28. It is certain that Senator Platt of Connecticut and Senator Frye of Maine will be present. Governor Hastings of Pennsylvania may also be present.

Funeral of Rev. Dr. Fuller.

Middletown, March 11.—Bishop Williams officiated at the funeral of Rev. Dr. Samuel Fuller this afternoon and many leading Episcopalian clergymen from all over the country were present. The pallbearers were professors of the Berkeley divinity school, Interment was at Indian Hill cemetery.

GOVERNOR COFFIN IN HARTFORD.

Attended the Beth-Israel Purim Ball Last To-night.

Hartford, March 11.—Governor O. V. Coffin arrived at the capital early this forenoon. He had lots of time to attend to business, as there were few persons at the building. Neither house was in session and the Monday morning callers were not on hand. Furthermore, there are not so many visitors at the executive office now as there were before the appointments of commissioners.

The governor attended the Purim ball of the Congregation Beth-Israel at Foot Guard hall this evening. He will be in town all the week. Mrs. Coffin was unable to accompany him, owing to illness among the servants at home.

Ice Breaking Up.

Middletown, March 11.—The ice in the Connecticut river has broken up sufficiently to enable the ferry boats to resume trips. The ferries are all running excepting the one from Connecticut river to South Lyme. The ice in the river at this point is so thick that the boats are unable to make passage through it.

ARGUMENT ON INCOME TAX.

LIVELY ROW BETWEEN THOSE INTERESTED IN THE CASE.

Assistant Attorney General Whitney delivered a few remarks and was then followed by Ex-Senator Edmunds who made a most remarkable address in which he put some questions to the court.

Washington, March 11.—In the income tax argument to-day, Mr. Whitney, assistant attorney general, said that whatever claims the appellants could make in this case, depended upon the meaning of the word "tax." The claim that the tax was not uniform, and that incomes under \$4,000 were not taxed, and that such legislation was therefore class legislation, was admitted, to a certain extent, by Mr. Whitney; but he denied that it was a vital point. All legislation was aimed at certain classes and not particular individuals.

The next point made by the appellants was that the tax had a minimum as against individuals and not as against corporations; the argument by the attorneys for the appellants would, Mr. Whitney thought, destroy the uniformity of the tax. It had been established that a legislature could select any class of individuals for taxation. It was never disputed during the war and afterward that the income tax or anything similar to it was unconstitutional. The exemption from the present law of federal estate tax from laws heretofore enacted and which have stood unquestioned. In the statute of 1870, the last of the income tax laws of the war period, many exemptions were made, and the law was not thereafter attacked.

Ex-Senator Edmunds followed Mr. Whitney. He claimed that the income tax was an unauthorized invasion of the rights of his client. If his client had no right under the constitution to appeal to the court from that which had no authority in law, he had no business to be here. But if the constitution had established a body with the authority and power to protect him from the tyranny, then he had a right to come here and seek relief, to ascertain whether the law recently enacted was constitutional. Parenthetically Mr. Edmunds said it was useless to inquire of the body that enacted that law—"a body" he said, "of respectable gentlemen, who have since disappeared from office on the face of the political earth." Mr. Edmunds also said that it might not be amiss to investigate into the question of how many of the gentlemen, who voted to enact that law intended to or would pay the alleged tax they imposed upon others. That, however, was another branch of the case and not before the court. He simply referred to it as an old barrister had once remarked, not as an authority, but to adorn his discourse.

Mr. Edmunds asked the court not only to go back and apply the precedents, but also to consider all the rules in connection with this case. The action of congress in denying the right of appeal under the income tax, he said, was unusual and tyrannical, and it was the duty of this court to give the protection from this tyranny that congress had denied.

Mr. Edmunds paid much attention to the Springer case, which grew out of the income tax law, and suggested that a court was sometimes justified in meeting out justice to overrule prevailing decisions.

It is well to remember, said he, that there are gradual and infinite similar departures from the laws marked out. In the law books, dictionaries and statutes were included, he suggested, within the class and designation of direct taxes. To include them within the category of excises, imposts and duties, said Mr. Edmunds, would have accomplished the very mischief and wrong which the founders of the country desired to avoid, and so they used with perfect clearness that language necessary to define their meaning. Now, after the lapse of a century, we are told that a congress finding itself short of funds may enact a law that effects the same purpose which the fathers sought to avoid. Under this law, said Mr. Edmunds, it is known and the intelligent judicial knowledge is bound to know that fact that fully 95 per cent. of the revenue to be derived from this source was paid by less than 2 per cent. of the male voters of the United States. And this they call equality; this they call liberty.

Mr. Edmunds made an interesting diversion here into the tariff question, illustrating the assertion that the contention which had been pressed here in this argument that the poor people, whoever they may pay the bulk of indirect taxes, was entirely fallacious. He said the fact and general observation was that the importer paid a large portion of the income tax and the consumer did not pay at all. A congress to which he belonged, desirous, like the one that just ceased its labors, to do something for the benefit of the laboring man and working with about the same effect upon the public interests, voted to reduce the duty on coffee from 5 to 2-1/2 cents a pound, thereby making his breakfast that much sweeter and cheaper. As soon as that became known the American minister to Brazil, whence seven-eighths of the coffee consumed in the United States is exported, sent a telegram to the state department saying that the price of coffee in that market had advanced 2-1/2 cents a pound. The result was that the consumer came to settle with the dealer he paid no less for his coffee, but the treasury was deprived of seven millions of dollars. Justice Harlan asked counsel if he had a definition of the difference between direct and indirect taxes.

Mr. Edmunds said he had, and could give it with the explanation that, like all general principles, it was subject to exceptions. Generally, then, direct taxes were those imposed on every kind of property and upon every person in respect of these things relating to property, to its existence, such as values and incomes. Indirect taxes are all the rest of it, as described by the constitution and by Blackstone excises and imposts and such, which are heavy or light upon each person according to his own will.

Justice Shiras asked him to give his definition of excise tax.

To this Mr. Edmunds responded that he would read one which he hoped would not give offense—he had taken it from Sam Johnson. (Laughter.) He read the latter's definition that an excise is a hateful tax, imposed not so much for the benefit of the nation as of him who collects it. Seriously, however, counsel stated that he would give the meaning of the excise as defined by Jacobs in his law dictionary in existence at the time the constitution was framed. It was that an excise was an inland impost on the consumption of the commodity which was the last stage of consumption.

Coming then to the question of uniformity Mr. Edmunds stated in reply to questions by Justices Harlan and White that the word "uniformity" in the fifth amendment to the constitution meant equal and that the use of the phrase "equal and uniform" in many constitutions were mere tautology.

Just as the phrase was in the original draft of the federal constitution. The word equal was stricken out, not by a committee on revision, but by a committee on style.

Mr. Edmunds then appealed to the court to protect the people from the effects of evil or ill-considered legislation for which purposes it was organized.

It being 1:30 o'clock Attorney General Olney, who was then to speak, stated that as he would require an hour to finish his remarks he desired to ask the court either to give him the necessary extension of time after 4 o'clock or permit him to begin in the morning. Chief Justice Fuller said interrogatively:

"I suppose counsel will be able to conclude the argument to-morrow?"

Mr. C. Carter, who is to follow the attorney general and close the case in favor of the law, said he would require at least two hours, and Mr. Joseph Choate, the last speaker, said he would need more than two hours.

"Well," announced the chief justice, after consulting with his associates, "we will adjourn now," and it was done. The arguments will therefore resume on Wednesday's sitting.

Many Certain-Gu's.

Boston, March 11.—"Trilby," dramatized by Paul M. Potter from Du Maurier's novel, was produced to-night at a Park theater by A. M. Palmer's company. The house was crowded with local notabilities and authors, managers and artists from New York and other cities. The play was an immediate and complete success. It follows the novel, with the objectionable features eliminated, however, leaving a most delightful play, in which the parts were well taken by a strong company. There were many curtain calls.

Reported Wreck of the Czarina.

London, March 11.—The Globe this afternoon publishes a report to the effect that the Russian imperial yacht Czarina, which recently left Athens for Corfu with the Russian minister to Greece, M. K. Onou, on board, in order to greet the Tsaravitch, has been wrecked in the Gulf of Patras. The fate of the minister is not known.

Fight Out Kilt Settled.

London, March 11.—The fight between Frank P. Slavin and Frank Craig, the "Hibernian Cooler," which took place at Central hall, Holborn, this evening, was quickly decided. Slavin defeated his opponent in the first round.

Damage Caused by a Huge Wave.

New York, March 11.—The Cunard Line steamship Umbria from Liverpool, which dropped anchor in Quarantine at 6:30 p. m. yesterday, several hours behind time, came up the bay this morning and reached her pier at 8:30 o'clock. She had been delayed at a rough weather, which lasted nearly the entire trip. The forward portion of the promenade deck in the vicinity of the bridge showed rough usage. Her battered condition was the result of a huge wave, which boarded the vessel last Wednesday afternoon. It smashed the forward portion of the captain's cabin, poured through the door of the room, after completely flooding it, and then continued down the saloon stairway, drenching a number of cabin passengers who were sitting in the saloon. Captain Dutton was in his room at the time. He was knocked about, but escaped without serious injury. His personal effects were all ruined. The great wave struck the vessel on the starboard bow near the light-house. It twisted the bow railing of the forward bridge and tore the rail from the forward portion of the promenade deck. The agent said this morning that the damage would amount to \$1,000.

A Re-count Asked.

Bangor, Me., March 11.—At the election to-day a large vote was cast and much interest was taken. It resulted in no choice for mayor. A re-count has been asked.

Under a Cloud.

Marlboro, Mass., March 11.—The Marlboro Counter company is under a financial cloud. The company, which is composed of H. H. McKay and E. Traak Woodbury, came here from Milford about a year ago and leased the upper part of Osgood's building on Main street for the manufacture of counters for shoes. Last Friday an attachment was put on Mr. Osgood for rent. To-day both members of the company are missing. They owe for rent, are largely in arrears to employees, bank bills at the Gleason house and a note of \$500, loaned by five local business men is due. But little will be realized on any of these accounts.

The Troubles in Cuba.

Madrid, March 11.—El Liberal, commenting on the promise of the movement to prevent filibustering expeditions leaving the United States for Cuba, says that the fact that the Spanish government has obtained this promise proves that if the Spanish diplomatic representations continue, the United States will grant more effective demonstrations of neutrality, which, according to El Liberal, in the present case ought not to be limited to "platonic indifference." The paper adds: "For all purposes of coping with filibusters, American territory should be a prolongation of Spanish soil."

COUNCILMEN TAKE ACTION.

UNANIMOUSLY IN FAVOR OF BETTER TAVENMENTS.

Brief Discussion Over Report of the Committee on Streets—Portion of Mayor's Message Referred to Street Committee—Concurrent Action on All Business.

Thirty-four of the 35 members of the board of councilmen were present at the March meeting of that body last evening, the absentees being Councilmen Burns of the Third ward and Adams of the Eighth ward. The majority of the business transacted was simply of a concurrent order with the action taken by the board of aldermen at its meeting last Monday, and hence the session was unusually dull and uninteresting.

The report of the committee on streets recommending the bonding of the city for the purposes of permanent street pavements and the diversion of the street railroad tax from the state treasury to the treasuries of the city and town was the first to provoke any discussion. After the report had been read Councilman Pickett argued at length in favor of the establishment of a sinking fund with which the bonds could be paid, and inquired why some such commendation had not been made in the report.

In reply Councilman Chillingworth, who is the councilman chairman of the street committee, stated that the committee in its deliberations had decided that the manner of paying the bonds properly belonged to the board of streets. Councilman Ullman, another member of the committee, also stated that the several financiers of the city who had appeared before the committee at the public hearings had almost unanimously expressed themselves as opposed to the plan of a sinking fund and favoring the payment of the bonds by taxation.

Finally, after a brief discussion, Councilman Dwell introduced a resolution to the effect that the mayor and corporation counsel represent the city of New Haven at Hartford and arrange for the bonding of the city for the new pavements, but the resolution was overwhelmingly defeated. The members of the board then decided to concur with the board of aldermen and table the entire matter for pending.

On motion of Councilman Chillingworth all that portion of Mayor Hendrick's message which referred to the condition of the sidewalks of the city was referred for action to the joint committee on streets, unanimous consent having been granted.

The board of public works was instructed to return to the court of common council all orders now in the possession of the road department for the top dressing of certain streets of the city and referred to the joint committee on streets.

A petition, signed by F. M. Brown and a number of Chapel street merchants, asking that the public urinal on Chapel street be removed on the ground that it is a public nuisance was read and referred to the committee on streets.

The councilmen also voted to concur with the action taken by the board of aldermen in reference to the reports of the committee on ordinances regulating the speed and equipment of electric cars, etc.

The list of twenty-six applicants for appointments as special constables of the city of New Haven, who were recommended by the committee on nominations, was next read and the entire number elected.

SHEPHERD FOR DIVORCE.

The Daughter of Chief Justice Fuller Alleges Intemperance.

Chicago, March 11.—Pauline Cony Aubrey, daughter of Chief Justice Fuller of the United States supreme court, has applied to the court for a divorce from her husband, James Matthew Aubrey, Jr.

The bill was filed in the circuit court this morning.

This is the outcome of the sensational runaway match which startled Chicago society in March 1893. It will be remembered that the couple were married in Milwaukee March 19, 1893.

Miss Fuller was eighteen years old at the time. Aubrey was twenty-two. A short time before Chief Justice Fuller had gone to Washington to take his seat on the supreme bench Miss Fuller had been in Washington, but returned to Chicago on the pretext of visiting friends. The marriage was a complete surprise to the families of both the young people, and not many months after became the source of chagrin and sorrow through the flagrant excesses of the young husband. For a year or more Mrs. Aubrey has been living with her parents, unable longer to bear her husband's conduct.

Mrs. Aubrey in her bill says her husband contracted the liquor habit, and to that she attributes all her domestic difficulties. The couple have two children, Melville Cony Aubrey, five years old, and Mildred, four years old. The court is asked to exclude Aubrey from participating in any manner with the education or control of the children.

Aubrey is at present in Chicago, where he has been served with a process.

The Troubles in Cuba. Madrid, March 11.—El Liberal, commenting on the promise of the movement to prevent filibustering expeditions leaving the United States for Cuba, says that the fact that the Spanish government has obtained this promise proves that if the Spanish diplomatic representations continue, the United States will grant more effective demonstrations of neutrality, which, according to El Liberal, in the present case ought not to be limited to "platonic indifference." The paper adds: "For all purposes of coping with filibusters, American territory should be a prolongation of Spanish soil."

DESTITUTION IS INCREASING.

There Are Many Sad Cases About St. John's—Aid Pouring In.

St. John's, N. F., March 11.—The goods for the relief of the suffering poor which were brought here by the steamer Grand Lake from Boston a few days ago, have all been landed and stored free of cost and were being distributed to-day. The opinion of the committee in charge is that the quality of the goods was never excelled in St. John's. The amounts for distribution in out-ports are being carried to their destination by the railroads free of cost. The number of destitute families is increasing daily and the reports are to effect that many are in utter destitution.

A despatch from a small settlement on the southwest coast signed by the parish priest was received here to-day stating that forty families were starving there and there was nothing to give them. The despatch also asked that assistance be sent them immediately. This same condition exists in nearly all the eastern districts. There are about two thousand eight hundred families in St. John's and its suburbs who are in distress and are being assisted by the relief committee as much as possible.

The clerical relief committee to-day adopted resolutions of thanks to the people of Boston and of New England for their haste in replying to the appeal for assistance with such a magnificent donation of food.

Stricken With Apoplexy.

Brattleboro, Vt., March 11.—News was received to-day of the death at his home in Omaha, Neb., of Colonel Elias M. Waite, late president of the ruined First National bank of Brattleboro. He was in the employ of the Grant Smelting company and only returned from New York on Friday, when he was stricken with apoplexy. He was born in Newfare in 1835. A widow and three children survive him.

Strange Malady Raging.

Ashland, Ky., March 11.—A strange malady is raging in the Mud River country. It has become so violent that even the physicians of the surrounding towns refuse to visit the victims. The death roll has already exceeded fifty, and the disease is on the increase. It resembles cholera, except that it chokes the victim to death. In almost every case it has been fatal.

The Gong Saved Him.

Chicago, March 11.—Tommy West of Boston and Frank O'Neill, a colored local fighter, went against each other in the ring of the Triangle club to-night. The Boston boy had his man all but knocked out in the second round, the sound of the gong alone saving him. O'Neill pulled himself together for the remaining four rounds and managed to keep his legs until the close of the sixth round, when the referee called the fight a draw.

Pfeffer Will Give Up Ball.

Chicago, March 11.—Fred Pfeffer will not play ball this season. He will pay to the Louisville club the fine of \$500 imposed by the league as a condition of his restoration.

Did Not Catch Varioloid at Yale.

Health Officer Wright said yesterday that the cases of varioloid which were reported from the Yale campus last week probably were not contracted in this city, but that Bailey, the first patient, took the disease on the train to or from his home in Windsor Locks, or in Windsor Locks, while at home, and that Smith took the disease from Bailey.

Public Meeting at Phoenix Building.

A public meeting of the New Haven Co-operative Savings Fund Loan association was held in the Phoenix building last evening, at which address were made by ex-Mayor Peck, James D. Dwell, James Bishop, M. D. McNamara and A. W. Dwyer. A new series of stock was issued about a week ago and already 200 shares had been sold. The attendance at the meeting was not large, but what it lacked in numbers was made up in enthusiasm.

City Guard Anniversary.

The forty-first anniversary of the New Haven City Guard, Company B, Second regiment, C. N. G., was celebrated last evening at Harugari hall. The committee of arrangements had left nothing undone to make the affair a most delightful one, and success had crowned their efforts.

Hospital Aid Society.

Report of the Hospital Aid society for the months of January and February. In January thirty-one garments were sent to the hospitals and donations were received from Mrs. Charles Allen \$2, Mrs. M. B. Mallory \$2, Mrs. Richard Everitt \$2, Miss Eld and Miss Ackerman each \$1. Mrs. Dr. Gilbert and Mrs. Campbell and Miss George Fitch old linen and cotton. Mrs. S. D. Bowers and Miss Lawrence had charge of the work in February. Seventy-six garments were completed, making the good record of 107 garments for the two months.

Hayward Sentenced.

Minneapolis, Minn., March 11.—Harry T. Hayward, convicted of the murder of Catherine Gling, was sentenced this morning by Judge Seagrave Smith, after a motion for an arrest of sentence had been denied, to be hanged on a day fixed by the governor of the state after the expiration of three months' confinement in the Hennepin county jail. Hayward listened calmly to the sentence and showed no feeling afterwards.

CHINA AGREES TO PEACE.

ALL POINTS SHALL INCLUDE THE INDEPENDENCE OF COREA.

There is Ostensible Harmony as to China's Attitude Toward Japan—A Correspondent Denies the Report That China Has Accepted the Demands of Japan.

London, March 11.—The Times correspondent in Peking says: China, through United States Ministers Denby and Dun, has agreed that the points to be discussed at the peace conference with Japan shall include the independence of Corea, the cession of territory, the payment of such an indemnity as the envoys may determine.

There is ostensible harmony among the high officials here as to China's attitude toward Japan, for the abandoning of the war policy is now generally recognized as the only possible course.

The Central News correspondent in Shanghai confirms the above despatch as to the status of the negotiations between the countries for a peace conference. He denies the report that China has accepted to Japan's demands and is ready to sign the present treaty of peace. He adds:

Li Hung Chang will leave Tientsin on March 14 to fulfill his mission. There is great doubt whether or not he will succeed in reaching an agreement with the Japanese as to the terms of peace.

STURDY OLD DR. NOTT.

A Connecticut Divine Who Occupied One Pulpit for Seventy Years.

Rev. Joseph W. Backus read before the Connecticut Historical society at its last meeting in the Athenaeum building, Hartford, an interesting paper on Rev. Samuel Nott, D. D., the noted minister of the First Congregational church at Franklin from 1782 to 1853. Mr. Nott combined in an extraordinary degree the old New England qualities of industry, faithfulness and integrity. He had a remarkable fertility in his action, having learned half a dozen trades before he was twenty. Having had only two months of schooling in any one year he became a school teacher, but soon decided to go to college. He began to prepare when his only possessions were his clothing, \$3 in money and a gun. He occupied the pulpit at Franklin for three scores and ten years.

It is related of the doctor that when he was eighty-seven he drove from Franklin to Schenectady, where his brother, Elliphalet, was president of Union college, and drove from that institution to Hartford, where he arrived at morning, in time to preside over a meeting of the Connecticut Bible society.

DEATH OF LEVI L. BIGELOW.

Of North Haven—Father of the Late Ex-Governor H. B. Bigelow.

Yesterday afternoon one of North Haven's oldest and most highly esteemed citizens, Mr. Levi L. Bigelow, succumbed to weakness and heart failure, caused by an attack of the grip. Mr. Bigelow though a very aged gentleman, was up to within a short time comparatively vigorous and healthy in body and mind and last fall he prided himself in being able to cast his ballot at the polls as usual.

Mr. Bigelow was the father of the late ex-Governor Bigelow and one of the pleasantest events in the late ex-governor's busy life was to pay a visit to his aged father and mother, and the pleasure felt it need not be said was reciprocal. The aged sire was, nevertheless, a sturdy democrat, firmly believing in the principles of that party and being loyal to his convictions, which was a characteristic of his life. The deceased was happy in having with him for so many years a wife as loving and loving wife, who did not long since. They were a fine aged couple and her death was a great blow to him. Four sons and two daughters were born to them. Two of the sons are living, George W. Bigelow, who is with the Bigelow company, Fair Haven, and John Bigelow, who resides in the west. Of the daughters one survives. The other, Mrs. Cheney, who was the wife of the late Hon. Mr. Cheney of North Haven, with whom the aged couple for years resided, died a year or two ago. The aged gentleman, who has now passed away, was a valued member of the Episcopal church of North Haven.

Sacred Concert and Lecture.

A lecture and sacred concert will be given at St. Mary's hall Thursday, March 23. The lecture will be by the Rev. Dr. Maher of Milford. The program for the sacred concert has not been completed, but will undoubtedly be a very good one.

The Late Mrs. Jeannette Clark.

Mrs. Jeannette J. Clark, who was a resident of Worcester, Mass., for the past four years, and previous to that time a well known resident in this city, died in Worcester, Mass., on Saturday, March 2. Her funeral took place from her late home last Tuesday, and was largely attended, many persons from this city and other places in this state and Massachusetts being present. Mrs. Clark was an estimable woman and had many friends. She left a daughter, who resides in Stony Creek, and a son in Worcester.

Hayward Sentenced.

Minneapolis, Minn., March 11.—Harry T. Hayward, convicted of the murder of Catherine Gling, was sentenced this morning by Judge Seagrave Smith, after a motion for an arrest of sentence had been denied, to be hanged on a day fixed by the governor of the state after the expiration of three months' confinement in the Hennepin county jail. Hayward listened calmly to the sentence and showed no feeling afterwards.